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17 AWJ GLOBAL SUSTAINABLE FUND L.P.

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19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 SAN FRANCISCO DIVISION
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STUART L. PETERSON,

Plaintiff,

v.

AWJ GLOBAL SUSTAINABLE FUND L.P.,

Defendant.

Case No. 3:15-cv-00650-CRB

**STIPULATION AND ~~PROPOSED~~
ORDER TO RELEASE AND PAY FUNDS
DEPOSITED WITH THE COURT
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 67**

1 WHEREAS, during the Joint Case Management Conference in the above-captioned
2 matter, Defendant AWJ Global Sustainable Fund L.P. (“AWJ GSF”) asked to deposit certain
3 funds at issue in this case with the Court pursuant to Fed. R. Civ. P. 67;

4 WHEREAS, on July 17, 2015, the Court entered a Minute Entry allowing, among other
5 things, “defendant [to] deposit money with the Court pursuant to Rule 67,” *see* Dkt. No. 29;

6 WHEREAS, on September 15, 2015, the Court, upon a motion by AWJ GSF, entered an
7 order formalizing the July 17, 2015 Minute Entry that authorized AWJ GSF to deposit
8 \$613,028.13 with the Court pursuant to Fed. R. Civ. P. 67;

9 WHEREAS, on or about September 23, 2015, AWJ GSF deposited \$613,028.13 (the
10 “Deposited Funds”) with the Court pursuant to the September 15, 2015 order;

11 WHEREAS, on November 17, 2015, a Settlement Conference was held in this case
12 before Chief Magistrate Judge Joseph C. Spero;

13 WHEREAS, at the November 17, 2015 Settlement Conference, the parties reached a
14 binding settlement entered into the record;

15 WHEREAS, pursuant to the settlement reached at the November 17, 2015 Settlement
16 Conference, the parties agree that the Deposited Funds shall be released by the Court and paid to
17 Plaintiff Stuart L. Peterson (“Peterson”) on or before December 17, 2015;

18 NOW, THEREFORE, AWJ GSF and Stuart Peterson, by and through their respective
19 counsel, hereby stipulate and respectfully request that the Court enter an order providing that the
20 Deposited Funds in the amount of \$613,028.13 shall be released by the Court and paid by check,
21 payable to Stuart Peterson, which shall be mailed by the Court to the following address by no
22 later than December 17, 2015:

23 ARTIS Ventures
24 988 Market Street
25 San Francisco, CA 94102
26 ATTN: Robert Riemer
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Respectfully submitted,

Dated: November 20, 2015

By: /s/ Rocky C. Tsai

Rocky C. Tsai
Anne Johnson Palmer
Kevin P. Daly
ROPES & GRAY LLP

Attorneys for Plaintiff
STUART L. PETERSON

Dated: November 20, 2015

By: /s/ Patrick C. McCooe

Michael D. Ricciuti
Patrick C. McCooe
Jason N. Haycock
K&L GATES LLP

Attorneys for Defendant
AWJ GLOBAL SUSTAINABLE
FUND L.P.

PROPOSED ORDER

Pursuant to the parties' stipulation, the Court hereby ORDERS as follows:

The amount of \$613,028.13 deposited with the Court in this action pursuant to Fed. R. Civ. P. 67 shall be released by the Court and paid by check, payable to Stuart Peterson, which shall be mailed by the Court to the following address by no later than December 17, 2015:

ARTIS Ventures
988 Market Street
San Francisco, CA 94102
ATTN: Robert Riemer

IT IS SO ORDERED.

Dated: November 23, 2015

By: _____



Hon. Charles R. Breyer
United States District Judge

FILER'S ATTESTATION

I, Rocky C. Tsai, am the ECF User whose identification and password are being used to file this STIPULATION AND PROPOSED ORDER TO RELEASE AND PAY FUNDS DEPOSITED WITH THE COURT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 67. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that counsel for Defendant concurs in this filing.

By /s/ Rocky C. Tsai

Rocky C. Tsai